

STATE PROPERTIES COMMITTEE MEETING

TUESDAY, JUNE 21, 2011

The meeting of the State Properties Committee was called to order at 10:03 a.m. by Mr. Robert Griffith in the absence of Chairman Ronald N. Renaud. Attendance of the members was taken by roll call and the following members made their presence known: John Ryan representing the Rhode Island Department of Administration; Richard Woolley representing the Rhode Island Department of Attorney General; Robert W. Kay, Public Member; and Andrew Marcaccio representing the Rhode Island Office of the General Treasurer, Ex-officio Member. Others in attendance were Anthony Robinson from the State of Rhode Island General Assembly; Meredith Brady from the Rhode Island Senate Fiscal Office; Eva Bernardo, Colleen Kerr and Paul Carcieri from the Rhode Island Department of Transportation; Michelle Sheehan, Ken Ayars and John Faltus from the Rhode Island Department of Environmental Management; Michael D. Mitchell, Deborah White and Ryan Giviens from the Rhode Island Department of Administration; Louis Joseph, Rick Esposito and Linda Nardoza from the Rhode Island Department of Behavioral Health, Developmental Disabilities and Hospitals; Christopher Feisthamel from the Rhode Island Office of the General Treasurer; Joseph Paul da Silva of the Rhode Island Department of Education; and Jon White of Eident Sports Marketing.

Chairman Griffith stated for the record that the State Properties Committee did have a quorum present.

A motion to approve the minutes from the State Properties Committee meeting

held on June 7, 2011, was made by Mr. Woolley and seconded by Mr. Kay.

Passed Unanimously

Chairman Griffith informed the Committee that all three (3) matters, which were scheduled to be presented in Executive Session are being deferred to the next meeting of the State Properties Committee at the request of the Department of Transportation:

Chairman Griffith also apprised the Committee that due to a scheduling conflict, Mr. Feisthamel of the Rhode Island Office of the General Treasurer respectfully requests that the Committee allow Item L to be presented out of sequence. A motion was made to allow Item L to be presented out of sequence by Mr. Ryan and seconded by Mr. Woolley.

Passed Unanimously

ITEM L – Office of the General Treasurer – A request was made for final approval of a short-term Lease Agreement, by and between, the Office of the General Treasurer and Emanon Associates, LP relative to office space currently occupied by the Office of the General Treasurer located at 40 Fountain Street in the City of Providence. Mr. Feisthamel thanked the Committee for accommodating his request to be heard out of sequence. Mr. Feisthamel explained that the Office of the General Treasurer (the “Office”) is relocating to the State-owned

facility located at 50 Service Street in the City of Warwick. The anticipated relocation date is sometime at the end of September 2011.

Mr. Feisthamel stated that the Office currently occupies leased office space located at 40 Fountain Street in the City of Providence. Said Lease is due to expire in nine (9) days on June 30, 2011. Therefore, Mr. Feisthamel indicated that the Office is seeking the Committee's approval to extend the existing Lease Agreement until the end of September 2011, with an option to further extend the Agreement on a month to month basis if necessary. Mr. Feisthamel explained that as the Office has occupied the Fountain Street

premises for nearly twenty (20) years, it is expected that the relocation process will necessitate a considerable clean up effort of that facility. Mr. Woolley asked if the terms and conditions of the short-term Lease Agreement have been modified in any way.

A motion was made to approve by Mr. Ryan and seconded by Mr. Woolley. Passed Unanimously

ITEM A – Department of Environmental Management – A request was made for approval of and signatures on the annual License Agreement, by and between, the Department of Environmental Management and Eugene Pezzulli and Autos of the World to hold a car show at Goddard Memorial State Park from Friday, July 29 to Sunday, July 31, 2011. Mr. Faltus stated that all three of the License Agreements before the Committee this morning involve events which have been held at various State parks and/or beaches in the past. Mr. Faltus noted that this is the eighth (8th) year that Mr. Pezzulli has requested a License Agreement to utilize portions of Goddard

Memorial State Park for his Autos of the World car show. Mr. Faltus indicated that a portion of the proceeds from this event are donated to charity. Mr. Pezzulli has provided the Department with the appropriate Certificate of Insurance with the State of Rhode Island listed as additionally insured. A motion to approve was made by Mr. Woolley and seconded by Mr. Ryan.

Passed Unanimously

ITEM B – Department of Environmental Management – A request was made for approval of and signatures on a License Agreement, by and between, the Department of Environmental Management and Eident Sports Marketing (“Eident”), on behalf of Amica Ironman 70.3 Triathlon, to utilize a portion of Lincoln Woods State Park for the swimming portion of the Amica Ironman Competition to be held on Sunday, July 10, 2011. Mr. Faltus explained that for the past three (3) years, this particular event has been held at the Roger Wheeler State Beach in the Town of Narragansett. This year the organizers have requested that the swimming portion of the event be moved nearer to the City of Providence; therefore, Eident respectfully requests the approval of the State Properties Committee to hold the swimming portion of the Amica Ironman 70.3 Triathlon at Lincoln Woods State Park. Mr. Faltus indicated that Eident has submitted the appropriate Certificate of Insurance to the Department. Mr. Kay asked if Eident will engage the services of the State’s lifeguards for this event. Mr. Faltus indicated will engage said services and that Eident reimburses the Department not only for lifeguard services, but for the services

provided by environmental police officers, park staff as well as park rangers. Mr. Faltus stated that subject to the Committee's approval of this License Agreement, the Department will forward Eident Sports Marketing a pre-billing invoice today. As one State beach was closed for a period of time this year, due to unsafe bacterial levels in the water, Mr. Griffith asked if an alternative site has been identified for this event should such an action be deemed necessary. Mr. Faltus stated that the Department informed Eident of its concerns relative to the unpredictability of the water quality at Lincoln Woods State Park. Mr. Faltus explained that as the organizer of this event, securing an alternative site is clearly Eident's responsibility and they have not approached the Department relative to such a request. Mr. Faltus stated that the Department has certainly fulfilled its obligations by ensuring that Eident is well aware of potential water quality issues arising at Lincoln Woods. In fact, the Department tried to discourage Eident from utilizing Lincoln Woods for this precise reason and encouraged them to remain at Roger Wheeler State Beach. Mr. Faltus explained that the majority of the individuals participating in the triathlon felt it is simply too inconvenient to travel to Narragansett; however, the Department has remained steadfast in its repeated attempts to inform Eident of the potential for water quality issues. A motion was made to approve by Mr. Woolley and seconded by Mr. Ryan.

Passed Unanimously

ITEM C – Department of Environmental Management – A request was made for approval of and signatures on a License Agreement, by and

between, the Department of Environmental Management and the First Congregational Church of Bristol (the “Church”) to utilize a portion of Colt State Park for the presentation of a Lipizzan Stallion Horse Show from Thursday, July 28 to Tuesday August 2, 2011. Mr. Faltus stated that this fund raising event, held by the Church, has been successful in the past. Mr. Faltus noted that there have been no problems associated with this event. The Church utilizes a portion of Colt State Park, which is set aside for special events and activities. A motion was made to approve by Mr. Woolley and seconded by Mr. Kay.

Passed Unanimously

ITEM D – Department of Environmental Management – A request was made for approval of and signatures on Warranty Deed, by and between, Carol Fagnoli, Norma J. Bucci and the Department of Environmental Management for the conveyance of nine (9) acres of land located along Snake Hill Road in the Town of Gloucester; known as the Fagnoli Property. Ms. Sheehan indicated that the Committee previously approved and executed the Purchase and Sale Contract relative to this acquisition in February 2011. Mr. Ryan noted that the aerial plan included in the package indicates that the subject property comprises fourteen (14) acres of land and asked why the Department is purchasing only nine (9) acres of the land. Ms. Sheehan stated that initially the subject property was believed to comprise fourteen (14) acres of land; however, subsequent due diligence determined the property actually only consists of nine (9) acres of land. A motion to approve was made by Mr. Woolley and seconded by Mr. Ryan.

Passed Unanimously

ITEM E – Department of Environmental Management – A request was made for approval of and signatures on a perpetual Easement Agreement, by and between, the City of Newport and the Department of Environmental Management for public fishing and hunting access to the Adamsville Brooke Property located, which borders the Towns of Tiverton and Little Compton. Ms. Sheehan stated that in accordance with the Easement Agreement, the Department will maintain the property and it will be managed for fishing and hunting as it has in the past. Ms. Sheehan indicated that the Department is seeking approval of a perpetual Easement Agreement as the previous easement agreement has expired. Mr. Ryan clarified that there was in fact a previous easement agreement, but that the Department now wishes to enter into a perpetual Easement Agreement in order to avoid having to continue to renew the existing Easement Agreement. Ms. Sheehan indicated that is correct. A motion was made to approve by Mr. Ryan and seconded by Mr. Woolley.

Passed Unanimously

ITEM F – Department of Environmental Management – A request was made for approval of and signatures a perpetual Easement Agreement, by and between, the City of Newport and the Department of Environmental Management for public fishing access to St. Mary's Pond in the Town of Portsmouth. Ms. Sheehan noted that this request is essentially the same as the previous one; however, the Department is seeking public fishing access only. Ms. Sheehan stated that the Department also has a perpetual Easement Agreement with the abutting property owner, which provides access from the

roadway while the subject Easement Agreement affords access to the pond itself. A motion to approve was made by Mr. Woolley and seconded by Mr. Ryan.

Passed Unanimously

ITEM G – Department of Education – A request was made for approval of an Amendment to the Chariho Career and Technical Center (the “CTC”) Transfer Agreement to allow Chariho Regional School District to construct a 750 square foot addition to the existing CTC facility, prior to the transfer of ownership date scheduled for July 1, 2012. Mr. da Silva explained that the subject Amendment to the Chariho Career and Technical Center Transfer Agreement was approved on June 21, 2010. Said Amendment allows Chariho Regional School District to construct an addition on the existing facility. As stated above, Mr. da Silva indicated that the Transfer Agreement will become final on July 1, 2012. The parties to this Transfer Agreement are in a somewhat indeterminate state regarding said Agreement and; therefore, the Department is before the Committee today seeking approval of an Amendment to the Transfer Agreement. Mr. Ryan asked when the actual construction of the addition is scheduled to take place. Mr. da Silva stated that construction of the addition will commence upon the Committee’s approval and the District’s execution of said Amendment to the Transfer Agreement. Mr. Ryan asked whether the construction of the addition will be completed prior to the actual transfer of the facility to Chariho Regional School District. Mr. da Silva stated that is correct. Mr. Ryan asked if all proposed plans will be submitted to the Office of the Fire Marshal and the Building Code

Commission for their review and approval prior to the commencement of construction. Mr. da Silva indicated that it is his understanding that said plans will be submitted to both the Office of the Fire Marshal and the Building Code Commission. After reviewing the site map, Mr. Ryan asked if the exact location of the sewer line has been identified, as it appears to be quite close to the perimeter of the addition. Mr. da Silva indicated that the Chariho Regional School District has assumed all control and responsibility associated with this project. The District has engaged the services of an architectural firm, they will conduct all due diligence and be entirely responsible for actual construction of the addition. Mr. Ryan questioned why Chariho Regional School District is assuming all responsibilities associated with the project despite the fact that the State of Rhode Island is still owns the property. Mr. da Silva stated that the Transfer Agreement sets forth the terms and conditions by which the property will be transferred, the parties are now simply complying with the same. Mr. Ryan stated that because the State of Rhode Island retains ownership of the property until July 1, 2012, it is imperative that the proposed plans

are submitted to both the Office of the Fire Marshal and the Building Code Commission for their review and approval of said plans. A motion was made to approve by Mr. Woolley, subject to the Department of Education submitting all plans to both the State of Rhode Island's Office of the Fire Marshal and the Building Code Commission for their review and approval of said plans. Said motion was seconded by Mr. Ryan.

Passed Unanimously

ITEM H – Department of Education – A request was made for approval of and signatures on a Transfer Agreement, by and between, the Department of Education and the City of Newport and Newport Public Schools (“NPS”) to transfer ownership of the Newport Area Career and Technical Center located at 15 Wickham Road in the City of Newport. Mr. da Silva explained that for each of the items before the Committee today, the Department of Education has included a binder, which has been provided to each of the members. Mr. da Silva noted that this particular transaction is actually the fourth transfer of a State-owned and operated technical center. These technical centers are costly to operate; therefore, the Department has concluded that it would be prudent to transfer their ownership to the schools districts which utilize them on a daily basis.

The Department is seeking approval to transfer the Newport Area Career and Technical Center to Newport Public Schools. As the Real Property is owned by the State of Rhode Island and is in need of capital repairs, the Governor’s FY 2011 Capital Budget includes an appropriation in the amount of \$1.2 million dollars for the health and safety renovations and the necessary capital repairs. Ms. da Silva indicated that various documents are involved in the transfer of this facility and all of them have been signed by the Commissioner of the Department of Education together with the appropriate representative of the Newport Public School District. Mr. Ryan asked Mr. da Silva whether the Department will grant the transfer of the facility and the funds for the capital repairs, without recourse, to the City of Newport

or to Newport Public Schools. Mr. da Silva explained that because the center is in the care and control of the Newport Public Schools, but is owned by the City of Newport, the facility is actually being transferred to both the public schools and the municipality. A motion was made to approve by Mr. Kay and seconded by Mr. Ryan, subject to the Department of Education submitting all plans to both the State of Rhode Island's Office of the Fire Marshal and the Building Code Commission for their review and approval of said plans.

Passed Unanimously

ITEM I – Department of Education – A request was made for approval of and signatures on a Transfer Agreement, by and between, the Department of Education and the City of East Providence to transfer ownership of the East Providence Area Career and Technical Center located at 1998 Pawtucket Avenue in the City of East Providence. Mr. da Silva indicated that this item is very similar to Item H; however, the East Providence Area Career and Technical Center is in substantially better repair. Mr. da Silva stated that the Department is seeking approval to transfer care and control of said facility to the East Providence School District and transfer ownership to the City of East Providence. Mr. Kay asked if any federal funds are associated with this project. Mr. da Silva stated that no federal funds are associated with this transaction. Mr. da Silva reiterated that the funding for this transaction is also part of the 2011 FY Capital Budget. Mr. Ryan asked whether the transfer of the facility is complete upon the Committee's execution of the documents. Mr. da Silva explained that the actual transfer of the property will take effect upon completion of

the capital repairs and health and safety improvements. Mr. da Silva explained that traditionally the school districts have not wanted to assume care, control and/or ownership of these facilities, because of the repairs necessary. Mr. Ryan reiterated that if the transfer of these facilities will not be finalized until the capital repairs and the health and safety improvements are completed, then all plans must be submitted to both the State of Rhode Island's Office of the Fire Marshal and the Building Code Commission for their review and approval of the same. A motion was made to approve by Mr. Ryan, subject to the Department of Education submitting all plans to both the State of Rhode Island's Office of the Fire Marshal and the Building Code Commission for their review and approval of said plans. Said motion was seconded by Mr. Woolley.

Passed Unanimously

ITEM J – Department of Education – A request was made for final approval to acquire a 1.45 acre parcel of land known as the Gallagher Extension of the Florence Gray Center located at One York Street in the City of Newport for the Paul Crowley MET East Bay Center. Mr. da Silva explained that the Board of Regents has approved the construction of a new MET facility at the above-referenced location. Mr. da Silva noted that the documents before the Committee represent a complex process that required the better part of a year to bring to fruition. Mr. da Silva noted that copies of the original Purchase and Sale Agreement have been provided to the Committee members. Mr. da Silva explained that the terms and conditions relative to one of the properties clearly defined in the Transfer

Agreement needed to be amended, due to the complexities associated with necessary easements and the plethora of property-owners involved in this transaction. Mr. da Silva stated that the property appraisals were reviewed and it was determined that neither the acreage nor the appraised value of the property had changed. Additionally, Mr. da Silva noted that the documents before the Committee include an Amendment to the Purchase and Sale Agreement, which extends the date of said Agreement, as more time than initially anticipated was needed in order to finalize the transaction. Further, the documents include a proposed deed, a revised Facility Use Agreement, Right of First Refusal documents for both, the Newport Housing Authority and the State of Rhode Island, a Party Wall Agreement, Road Access Agreement, zoning approval, a title commitment, an Ingress and Egress Easement and the City of Newport's Planning Board Decision. Mr. da Silva stated that there were also some environmental

issues; however, the Department of Environmental Management has signed off on the same. Mr. Kay noted that the value of the property decreased by \$5,000.00, and asked if said reduction was due to the environmental issues. Mr. da Silva explained that the estimated value of the property was reduced as a result of consideration being given to the cost to remediate the contaminated portion of the property. Mr. Ryan asked if the Department of Education is requesting that the State Properties Committee execute the Facility Use Agreement concerning the Florence Gray Center. Mr. da Silva stated that the Facility Use Agreement is an agreement between the MET, which will

have care and control of the building, and the Newport Housing Authority. Mr. Ryan asked if said Agreement has been duly executed by the parties. Mr. da Silva indicated that the Facility Use Agreement will be executed by the parties upon the State Properties Committee's approval of the same and upon the closing of the documents. Mr. Ryan noted that Fuss

& O'Neill, the environmental consulting firm, provided three figures, which represent potential costs for remediation of the contaminated site. Mr. Ryan asked what methodology the appraiser used to determine which of those three figures was the most prudent. Mr. da Silva explained that the parties had negotiated the purchase price of the subject property prior to the completion of the environmental analysis. The consulting firm, which performed the feasibility study, determined that the cost to remediate the site would be approximately \$210,000.00. That amount was deducted from the \$625,000.00 purchase price. Mr. da Silva explained that the Department of Environmental Management provided a variety of options to address remediation of the site. The consulting firm investigated three different options; however, the Department of Education selected the above option in accordance with the Transfer Agreement, which fell below the \$210,000.00 threshold. In the event that the cost to remediate the site had been greater than the figure negotiated by the parties, the Transfer Agreement would have become null and void. Mr. da Silva explained that because the cost of remediation was determined to be lower than the negotiated deduction, the parties would like to proceed with this transaction as soon as possible

subject to the Committee's approval. Mr. Ryan asked whether the Department of Education is confident that the Department of Environmental Management will accept said remediation plan at that cost. Mr. da Silva stated that the Department of Environmental Management has already agreed to the chosen option as well as to the cost of the same. A motion was made to approve by Mr. Ryan and seconded by Mr. Woolley.

Passed Unanimously

ITEM K – Department of Behavioral Health, Developmental Disabilities and Hospitals – A request was made for permission to initiate lease negotiations with Michael L. Baker (Bakeford Properties) relative to available office space located at 650 Ten Rod Road in the Town of North Kingstown. Mr. Joseph explained that Rhode Island Community Living and Supports is an agency within the Department of Behavioral Health, Developmental Disabilities and Hospitals, which supports individuals with developmental disabilities. Due to a lack of staffing over the past several years, the Department is attempting to consolidate two (2) day program sites for adults with disabilities, and to create a more efficient program for those individuals who participate in said programs. Mr. Joseph respectfully requested the Committee's approval to proceed with the initiation of lease negotiations with Mr. Baker. Mr. Ryan clarified that the Department of Behavioral Health, Developmental Disabilities and Hospitals issued a request for proposals to solicit bids from area landlords for suitable alternative space. It is Mr. Ryan's understanding that the Department received two responses to said RFP. Mr. Joseph explained that two

vendors responded to the Request for Proposals (“RFP”); Bakeford Properties was one, and Pendar Realty, LLC was the other. The Department conducted site visits of both properties and believes that the property owned by Mr. Baker best serves the needs of the individuals who participate in these programs as well as the needs of the Department. Mr. Kay asked if there is presently any occupants or activity at the selected property. Mr. Joseph indicated that the subject property is actually the current site of the Rhode Island Community Living and Supports Program; however, the Department issued an RFP to test the market to determine if there were perhaps other options available given the current economic climate. It became immediately clear that this was not the case, and therefore, the Department wishes to initiate lease negotiations to continue to occupy the subject premises. A motion to approve was made by Mr. Woolley and seconded by Mr. Ryan.

Passed Unanimously

ITEM M – Department of Administration – A request was made for approval of and signatures on a License Agreement, by and between, the Department of Administration and Eident Sports Marketing to allow Eident to utilize the State House Grounds and Station Park from July 7, 2011, through and including, July 11, 2011, for the Amica Ironman Competition. Ms. White noted that this is the fourth (4th) consecutive year Eident has requested use of the subject properties for purposes of this event. Mr. Ryan asked whether there have been any problems associated with Eident’s use of the subject properties in the past. Ms. White noted that there have been no problems

whatsoever associated with Eident's use of either the State House Grounds

or Station Park. Mr. Griffith asked if these properties are utilized as the "finish line." Mr. White, of Eident, indicated that the subject properties are utilized as both the finish line and transition area. Mr. White explained that the Station Park is where the participants transition from cycling to running and the State House is the event's final finish line. Mr. Griffith asked if products would be available for purchase at either location. Mr. White indicated that yes there will be certain items for sale at these locations. Therefore, Mr. Kay asked that Facilities Management and Eident Sports ensure that the liability insurance coverage includes product liability in addition to general liability. Ms. White assured the Committee that she would confer with Kevin Carvalho of Risk Management to make certain the appropriate insurance coverage is in place. A motion was made to approve by Mr. Woolley and seconded by Mr. Ryan.

Passed Unanimously

ITEM N – Department of Transportation – A request was made for approval of and signatures on a Consent to Assignment of License Agreement assigning any and all rights, title, interests, obligations and responsibilities of Chevron U.S.A., to its successor, Chevron Land and Development Company relative to the License Agreement for the use of 10.1 acres of State-owned land located adjacent to Veterans Memorial Parkway in the City of East Providence. Ms. Bernardo stated that Chevron Land and Development Company, as successor in interest to Chevron U.S.A, has submitted a request to

modify the License Agreement to reflect Chevron Land and Development Company as the Licensee. Ms. Bernardo explained that Chevron Land and Development Company wishes to continue utilizing the subject property for purposes of conducting remedial design investigations (test pits, monitoring wells and soil bearings), which are being compelled by the Department of Environmental Management. The term of this gratis License Agreement is for a period of two (2) years and will expire on December 31, 2011. Ms. Bernardo illustrated the exact location of the subject property using a site map. A motion to approve was made by Mr. Woolley and seconded by Mr. Ryan.

Passed Unanimously

ITEM O – Department of Transportation – A request was made for approval of and signatures on a License Agreement, by and between, the Department of Transportation and the City of Newport to allow the City to utilize 30,000 square feet of State-owned land located on Memorial Boulevard between Chapel Street and Edgar Court in the City of Newport to sponsor the Aquidneck Growers' Market. Ms. Bernardo explained that on May 24, 2011, the Department appeared before the Committee seeking approval of the subject License Agreement. At that meeting, the State Properties Committee tabled this matter in order to provide Ms. Bernardo with sufficient time to conduct further research and obtain additional information to address the Committee's questions and concerns regarding the subject License Agreement. The following are the questions posed by the Committee and the Department's responses to the same based upon

Ms. Bernardo's recent research: Question (1) Are the vendors required to pay a fee in order to participate in the Aquidneck Growers' Market? Answer (1) The vendors are required to pay a \$10.00 application fee. The vendors who are selected are then required to pay a vendors fee in the amount of \$25.00. Additionally, the Aquidneck Growers' Market is required to pay a \$100.00 City Ordinance Business License fee to the Newport City Clerk. Further, the City of Newport also charges the Aquidneck Growers Market \$1,000.00, per season, for maintenance and upkeep of the grounds, which includes mowing the lawn, keeping the grounds clean and making necessary repairs and improvements; and Question (2) How are the successful vendors selected? Answer (2) The vendors are selected by the Aquidneck Growers Market. The vendors must maintain certain criteria required by the City of Newport Ordinance and each vendor must show proof that they have secured the appropriate liability insurance coverage together with the proper food license and health card; and Question (3) Are the vendors required to secure product liability insurance coverage as part of their insurance policy? Answer (3) Yes, product liability insurance coverage is required in the amount of \$2 million dollars; and Question (4) What specific items are the vendors allowed to sell? Answer (4) Grade A produce accounts for ninety (90%) percent of the total sales. The remaining ten (10%) percent includes items such as prepared sandwiches, which must be prepared by the vendor, honey, flowers and berries. The sale of jewelry and/or crafts is not permitted. Mr. Ryan asked whether the State owns any of the property surrounding

the subject parcel. Ms. Bernardo indicated that the State owns only the 30,000 square foot parcel of land. Mr. Griffith thanked Ms. Bernardo addressing each of the Committees' questions and concerns and asked if she would kindly provide the State Properties Committee with a copy of her prepared written notes relative to the same. Ms. Bernardo submitted her written notes to Ms. Rhodes for the Committee's file. A motion was made to approve by

Mr. Woolley and seconded by Mr. Kay.

Passed Unanimously

ITEM P – Department of Transportation – A request was made for approval of and signatures on a Temporary Use Agreement, by and between, Mark E. and Stephanie Eddleston and the Department of Transportation to allow the Department to access private property located at 165 Fairview Avenue in the Town of Coventry in connection with the project referred to as Improvements to Route 3, Coventry. Ms. Kerr explained that the Temporary Use Agreement has been duly executed by both parties. Said Agreement will allow the State to access private property in order to replace a retaining wall and replace a fence, which was damaged as the result of a motor vehicle collision. Ms. Kerr indicated that the Route 3 project is ongoing and in fact presently includes work at this location in order to install new sidewalks and guardrail. The aforementioned retaining wall and fence must be replaced and/or repaired in order to maintain the new sidewalks as well as safe passage for pedestrian traffic. A motion was made to approve by Mr. Woolley and seconded by Mr. Kay.

Passed Unanimously

Chairman Griffith reiterated that the following three (3) matters which were scheduled to be presented in Executive Session are deferred to the next meeting of the State Properties Committee at the request of the Department of Transportation:

ITEM E1 – Department of Transportation – A request for approval of and signatures on a Deed of Temporary Easement and a Deed of Permanent Easement with Providence & Worcester Railroad Company in connection with the replacement of the Conant Street Railroad Bridge #915 located in the City of Pawtucket. Item E1 is deferred to the next scheduled meeting of the State Properties Committee at the request of the Department of Transportation.

ITEM E2 – Department of Transportation – A request for approval of and signatures on a Deed of Temporary Easement and a Deed of Permanent Easement with the National Rail Passenger Corp. (Amtrak) in connection with the replacement of the Conant Street Railroad Bridge #915 located in the City of Pawtucket. Item E2 is deferred to the next scheduled meeting of the State Properties Committee at the request of the Department of Transportation.

ITEM E3 – Department of Transportation – A request for approval of and signatures on three (3) Temporary Easement Agreements in connection with the project referred to as the Rehabilitation of the Randall Street Bridge #974 located in the City of Providence. Item E3 is deferred to the next scheduled meeting of the State Properties Committee at the request of the Department of Transportation.

There being no further business to come before the State Properties

Committee, the meeting was adjourned at 10: 50 a.m. The motion to adjourn was made by Mr. Ryan and seconded by Mr. Woolley.

Passed Unanimously

Holly H. Rhodes, Executive Secretary

State Properties Committee